

IN RE: PETITION FOR VARIANCE

SW/S Parks Avenue @ distance 508'
NW intersection SW/S Parks & NW/S
Mayfield Avenue
2nd Election District
2nd Councilmanic District
(8011 Parks Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-349-A

Mary Lou and George H. Pahl
Petitioners

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Mary Lou and George Pahl. The Petitioners are requesting a variance for property they own located at 8011 Parks Avenue. The subject property is zoned D.R.5.5. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 5 ft. in lieu of the required 10 ft. and to permit a 50 ft. wide lot in lieu of the required 55 ft. and to approve an undersized lot. In addition, the Petitioners are requesting approval to build a dwelling on a lot containing less than 20,000 sq. ft. which does not abut a right-of-way at least 30 ft. in width. Parks Avenue is a public road containing a street width of 20 ft.

Appearing at the hearing on behalf of the variance requests were George and Mary Lou Pahl, owners of the property, Herbert Malmud, land surveyor and Michael Tanczyn, attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request were Anita and Timothy Kestel, adjacent property owners.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.180 acres of land, more or less, zoned D.R.5.5. The subject property has a lot width of 50 ft. and a depth of approximately 156 ft. It is located at the dead-end of Parks

4/18/02
R. J. [Signature]

Avenue, which is a narrow public street located off of Mayfield Avenue in the 2nd Councilmanic District. The property in question is adjacent to a 20 ft. drainage and utility easement which is the side of the dwelling where the 5 ft. variance is being requested. The property owners are maintaining the full 10 ft. setback from the property line shared with their neighbor and the Protestants, Timothy and Anita Kestel.

Mr. Pahl testified that he purchased the subject property in 1963 and has owned it since that time. He utilizes the land as a vegetable garden at this time. He and his wife are up in years and he indicated that he no longer wishes to pay the property taxes on this vacant lot. Furthermore, he stated that he could use the proceeds of the sale of this property to help fund his retirement. Mr. and Mrs. Pahl reside on Remington Avenue, on property that is immediately to the south and contiguous to the subject lot. In order to proceed with the construction of a home on the lot in question, the variance relief is necessary.

As stated previously, the adjacent property owners, Mr. and Mrs. Timothy Kestel, appeared in opposition to the Petitioners' request. The Kestel's live adjacent to this vacant lot on Parks Avenue. They are concerned over additional traffic being generated by virtue of the construction of the home on this unimproved lot. Furthermore, they indicated that they have grown accustomed to being the last house at the end of this dead-end street. They, therefore, ask that the variance be denied and that the property remain in its vacant state.

After considering the testimony and evidence offered in support of the variance, as well as that testimony offered in opposition, I find that the variance relief requested should be granted to allow construction of a home on this property. The variance relief needed is on the side of the property farthest removed from the property owned by Mr. and Mrs. Kestel. Furthermore, the

4/18/02
R. J. [signature]

Office of Planning has issued a comment indicating their support for the granting of this variance.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

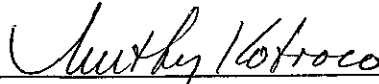
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

COPIES FORWARDED FOR FILING
4/18/02
R. G. Jones

THEREFORE, IT IS ORDERED this 18th day of April 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 5 ft. in lieu of the required 10 ft. and to permit a 50 ft. wide lot in lieu of the required 55 ft. and to approve an undersized lot, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioners' request for approval to build a dwelling on a lot containing less than 20,000 sq. ft. which does not abut a right-of-way at least 30 ft. in width, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

DATE 4/18/02
BY R.C. JENNISON



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 18, 2002

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

Re: Petition for Variance
Case No. 02-349-A
Property: 8011 Parks Avenue

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. George H. Pahl
8012 Remington Avenue
Baltimore, MD 21244

Mr. & Mrs. Timothy Kestel
8009 Parks Lane
Baltimore, MD 21244

Herbert Malmud & Associates, Inc.
100 Church Lane
Baltimore, MD 21208



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8011 Parks Avenue

which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHMENT

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

This undersized lot, pursuant to BCZR304, enjoys public water and sewer and is adjacent to local open space on the west side and cannot be developed for a reasonably sized single family dwelling without the variance; and for other reasons to be given at the time of the hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No. 02-349-A

REV 9/15/98

UNDERSIZE LOT

ATTACHMENT TO PETITION FOR VARIANCE
8011 Parks Avenue

1. Section 1B02.3.C.1 to allow a sideyard setback of 5 feet in lieu of the required 10 feet and to permit a 50 foot wide lot in lieu of the required 55 feet and to approve an undersized lot pursuant to BCZR304 and to approve any other variances that the Zoning Commission deems necessary at the time of hearing.
2. To allow a single family dwelling to be built on a lot containing less than 20,000 sq. ft. which does not abut on a right of way of at least 30 ft. wide over which the public has an easement of travel pursuant to BCZR102.4 because Parks Avenue is a dedicated 20 foot wide right of way.

347

ZONING DESCRIPTION
8011 PARKS AVENUE
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING ON THE SOUTHWEST SIDE OF PARKS AVENUE, 20 FEET WIDE , AT A DISTANCE OF 508 FEET NORTHWESTERLY FROM THE FROM THE INTERSECTION OF THE SOUTHWEST SIDE OF PARKS AVENUE AND THE NORTHWEST SIDE OF MAYFIELD AVENUE, THENCE BINDING ON PARKS AVENUE:

- (1) NORTH 49 DEGREES 00' 00" WEST 50.00 FEET, THENCE LEAVING PARKS AVENUE AND RUNNING THE THREE (3) FOLLOWING COURSES AND DISTANCES:
- (2) SOUTH 41 DEGREES 00' 00" WEST 156.53 FEET,
- (3) SOUTH 49 DEGREES 00' 00" EAST 50.00 FEET,
- (4) NORTH 41 DEGREES 00' 00" EAST 156.53 FEET TO THE PLACE OF BEGINNING.

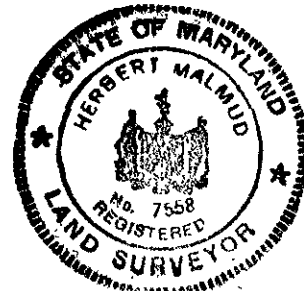
CONTAINING 7827 SQ. FT. OR 0.180 OF AN ACRE OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558

FEBRUARY 6, 2002

FILE: Parks Ave



#349

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-349-A

8011 Parks Avenue

SW/S Parks Avenue, @ distance 508' NW Intersection SW/S

Parks & NW/S Mayfield Avenue

2nd Election District - 2nd Councilmanic District

Legal Owner(s): Mary Lou & George H. Pahl

Variance: to allow a side yard setback of 5 feet in lieu of the required 10 feet and to permit a 50 foot wide lot in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances that the zoning commissioner deems necessary at the time of hearing, to allow a single family dwelling to be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way of at least 30 feet wide over which the public has an easement or travel.

Hearing: Thursday, April 11, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/29/02 Mar. 28

C528635

CERTIFICATE OF PUBLICATION

3/28/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/28/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 10197

DATE 2-21-02 ACCOUNT 001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: Malmud & Asso. (PAHL)

8011 PARKS AVE.

FOR: 01. VARIANCE & UNDERSIZED LOT ITEM #349
TAKEN BY: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
2/21/2002 2/21/2002 10:17:32

REC. WSO5 CASHIER RBO5 LRB DRAWER 5

RECEIPT # 252243

OFLN

DEPT 5 528 ZONING VERIFICATION

CR. NO. 010197

Recpt Tot 50.00

50.00 OK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: OZ-349-A

Petitioner/Developer: _____

MARY LOU & GEORGE H. PEHL

Date of Hearing/Closing: 4-11-2002

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

8011 PARKS AVE.

The sign(s) were posted on _____

MAR. 25TH, 2002
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # 02-349-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401 BOSLEY AVENUE

THURSDAY, APRIL 11, 2002

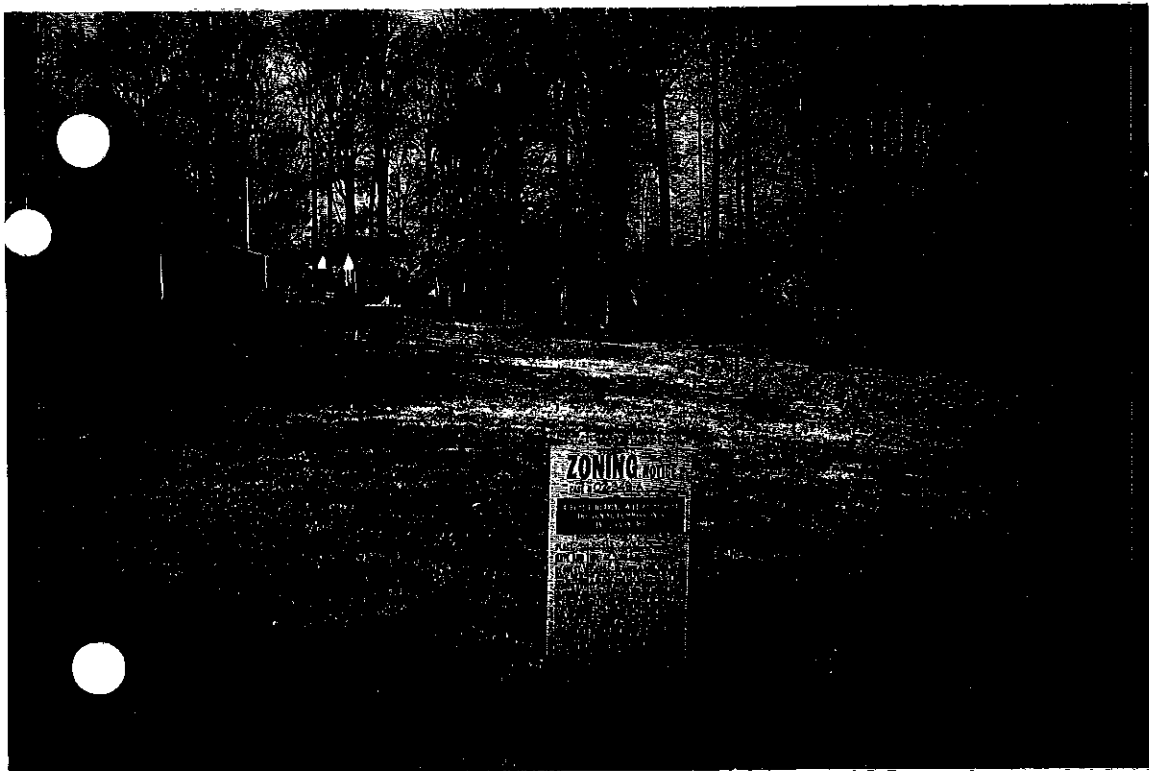
DATE AND TIME: AT 9:00 A.M.

REQUEST: VARIANCE - TO ALLOW A SIDE YARD SET-
BACK OF 5 FEET IN LIEU OF THE REQUIRED 10 FEET
AND TO PERMIT A 50 FOOT WIDE LOT IN LIEU OF THE RE-
QUIRED 55 FEET AND TO APPROVE AN UNDERSIZED LOT AND
TO APPROVE ANY OTHER VARIANCES THAT THE ZONING COM-
MISSIONER DEEMS NECESSARY. AT THE TIME OF HEARING,
TO ALLOW A SINGLE FAMILY DWELLING TO BE BUILT ON
A LOT CONTAINING LESS THAN 20,000 SQUARE FEET WHICH
DOES NOT ABUT ON A RIGHT-OF-WAY OR AT LEAST 30 FEET
WIDE OVER WHICH THE PUBLIC HAS AN EASEMENT
OR TRAVEL.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-349-A

Petitioner: MRS George H PAHL

Address or Location: 8011 PARKS AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael TANCZYK

Address STE 106, 606 BALTIMORE AVE
TOWSON MD 21204

Telephone Number 410 296 8823

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 28, 2002 Issue – Jeffersonian

Please forward billing to:
Michael Tanczyn
606 Baltimore Avenue
Suite 106
Towson MD 21204

410 296-8823

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-349-A

8011 Parks Avenue

SW/S Parks Avenue, @ distance 508' NW intersection SW/S Parks & NW/S Mayfield Avenue

2nd Election District – 2nd Councilmanic District

Legal Owner: Mary Lou & George H Pahl

Variance to allow a side yard setback of 5 feet in lieu of the required 10 feet and to permit a 50foot wide lot in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances that the zoning commissioner deems necessary at the time of hearing, to allow a single family dwelling to be build on a lot containing less than 20,000 square feet which does not abut on a right-of-way of at least 30 feet wide over which the public has an easement or travel.

HEARING: Thursday, April 11, 2002 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDD
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 6, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-349-A

8011 Parks Avenue

SW/S Parks Avenue, @ distance 508' NW intersection SW/S Parks & NW/S Mayfield Avenue

2nd Election District – 2nd Councilmanic District

Legal Owner: Mary Lou & George H Pahl

Variance to allow a side yard setback of 5 feet in lieu of the required 10 feet and to permit a 50foot wide lot in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances that the zoning commissioner deems necessary at the time of hearing, to allow a single family dwelling to be build on a lot containing less than 20,000 square feet which does not abut on a right-of-way of at least 30 feet wide over which the public has an easement or travel.

HEARING: Thursday, April 11, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDL
Director

C: Michael P Tanczyn, 606 Baltimore Ave, #106, Towson 21204
Mary & George Pahl, 8012 Remington Avenue, Baltimore 21244
Herbert Malmud & Associates Inc, 100 Church Lane, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 27, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 5, 2002

Mr. Michael P Tanczyn
606 Baltimore Avenue
106
Towson MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 02-349-A, 8011 Parks Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 21, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G02
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mr. & Mrs. George H Pahl, 8012 Remington Avenue, Baltimore 21244
Herbert Malmud & Associates Inc, 100 Church Lane, Baltimore 21208
People's Counsel


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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: April 1, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *March 4, 2002*
Item Nos. 317, 331, 332, 334, 335,
336, 337, 338, 340, 341, 342, 343,
345, 348 and 349

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 4, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the following item #'s.

331, 334, 335, 337, 339, 340, 341, 342, 343, 345,
346, 347, 348, 349,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 27, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, (349)

Still waiting on Agriculture Preservation Comments for 334, 335, 339.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley
DATE: April 1, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, (349)

No AG Comments for 334, 335, 339.

LD Jim
4/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 7, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

3/7/02 3:04 PM

SUBJECT: 8011 Parks Avenue

INFORMATION:

Item Number: 02-349

Petitioner: George H. Pahl

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request germane to the subject undersized lot.

Prepared by: Mark A. Cunniff

Section Chief: Gary L. Reno

AFK/LL:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.1.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 349

JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1-

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
8011 Parks Avenue, SW/S Parks Ave,
508' NW of intersection Parks & Mayfield Aves.
2nd Election District, 2nd Councilmanic

Legal Owner: George H. & Mary Lou Pahl
Petitioner(s)

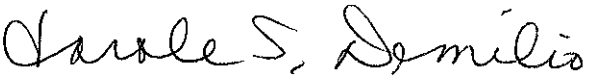
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-349-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 02-349-A

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)

Accepted by JRF
Date 2/21/02

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

HERBERT MALMUD
H. MALMUD & ASSO. INC. 100 CHURCH LA BALTO 21208 410 653-9511
Print Name of Applicant Address Telephone Number

Lot Address 8011 PARKS AVE (OR LANE) Election District 2 Councilmanic District 2 Square Feet 7826

Lot Location: N E S W side corner of PARKS AVE (or LANE) 559 feet from N E S W corner of MAYFIELD AVE.
(street) (street)

Land Owner: GEORGE H. PAHL & WIFE Tax Account Number 0216000061

Address: 8012 REMINGTON AVE BALTO 21244 Telephone Number (410) 655-0411

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly) Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Current Zoning Classification: <u>DR 5.5.</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

Revised 2/25/99

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

LAW OFFICES
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

February 11, 2002

Office of Zoning
Room 109, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Variance: 8011 Parks Avenue

Dear Sir/Madam:

Enclosed herewith you will find a Petition with plats and county checklist and my client's check for consideration of an undersized residential building lot. Additionally, you will find my check along with the copies of the following:

1. Three (3) original Petitions for Variance;
2. Three (3) sealed surveyor's descriptions;
3. One (1) 200 scale zoning map with the property identified thereon;
4. Twelve (12) copies of the plat.

There are no zoning violations for the property or actions pending with Code Enforcement at this time. This is a drop-off Petition and we ask that you confirm receipt of acceptance of the Petition and advise us of the hearing date at the earliest possible time.

Thank you very much for your kind assistance in this regard.

Very truly yours,


Michael P. Tanczyn, Esquire

MPT:cbr

Encl.

cc: Mr. and Mrs. George H. Pahl
Mr. Herb Malmud

LAW OFFICES
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

February 20, 2002

HAND DELIVERED

Office of Zoning
Attention: Mr. Jun Fernando
Room 109, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Variance: 8011 Parks Avenue

Dear Mr. Fernando:

Enclosed herewith for your review you will find the revisions to the plat, as well as the variance request per our last conversation. I also enclose a set of the building elevations which you had discussed with me.

Please review these and if you find them to be in order, please forward this on for assignment of a hearing date. I would request that we would be notified of the hearing date when set. I do not anticipate that this will take more than one (1) hour for hearing.

Very truly yours,



Michael P. Tanczyn, Esquire

MPT:cbr

Encl.

cc: Mr. and Mrs. George H. Pahl
Mr. Herb Malmud

JRF

Intake Planner

2/14/02

Date Assigned

DROP-OFF PETITIONS PROCESSING CHECK-OFF

- ☒ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office?
Any current building or zoning violations on site?
- ☒ **Petition Form Matches Plat in these areas:**
Address
Zoning
Legal Owner(s)
Contract Purchaser(s)
Request (if listed on plat)
- ☒ **Petition Form (must be current PDM form) is Complete:**
Request:
Section Numbers *Must use section 1802.3.C.1 and 304*
Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.
Hardship/Practical Difficulty Reasons
Legal Owner/Contract Purchaser:
Signatures (originals)
Printed/Typed Name and Title (if company)
Attorney (~~if incorporated~~) *Michael Tanczyn*
Signature/Address/Telephone Number of Attorney *296-8823*
- ☒ **Correct Number of Petition Forms, Descriptions and Plats**
- ☒ **200 Scale Zoning Map** *NW 5-H*
- ☒ **Check:** Amount Correct? Signed? *\$50.00* not *\$100.00* *\$50.00* returned to *Mr. Tanczyn*
- ☒ **ZAC Plat Information:**
✓ Location (by Carl) *SW/S Parks Ave, approx. 550 ft.*
N.W. Mayfield Ave.
Zoning: *DR 5.5* Acreage: *7,827* ~~8~~ Previous Hearing Listed With Decision
Election District *2ND* Councilmanic District *C-2* Case # *None*
Check to See if the Subject Site or Request is:
CBCA
Floodplain
Elderly
Historical
Pawn Shop
Helicopter
*If Yes, Print Special Handling Category Here
*If No, Print No

NO

349

Item Number Assigned

2-21-02

Date Accepted for Filing

Case 02-349A
Mrs. Mrs. George PAUL
8011 Parks Blvd
MURKIN - SPENT CLERK

Thurs 4/11/02

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

Michael TANCZYN

GEORGE H. PAHL

MARY LOU PAHL

HERBERT MALMUD

STE106, 606 BALTIMORE AVE Towson MD 21204

8012 REMINGTON AVE. BALTO, MD 21244

8012 REMINGTON AVE. BALTO MD 21244

H. MALMUD & ASSO INC.

100 CHURCH LANE BALTO MD 21208



Printed with Soybean Ink
on recycled Paper

Case Number

4/15/02

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

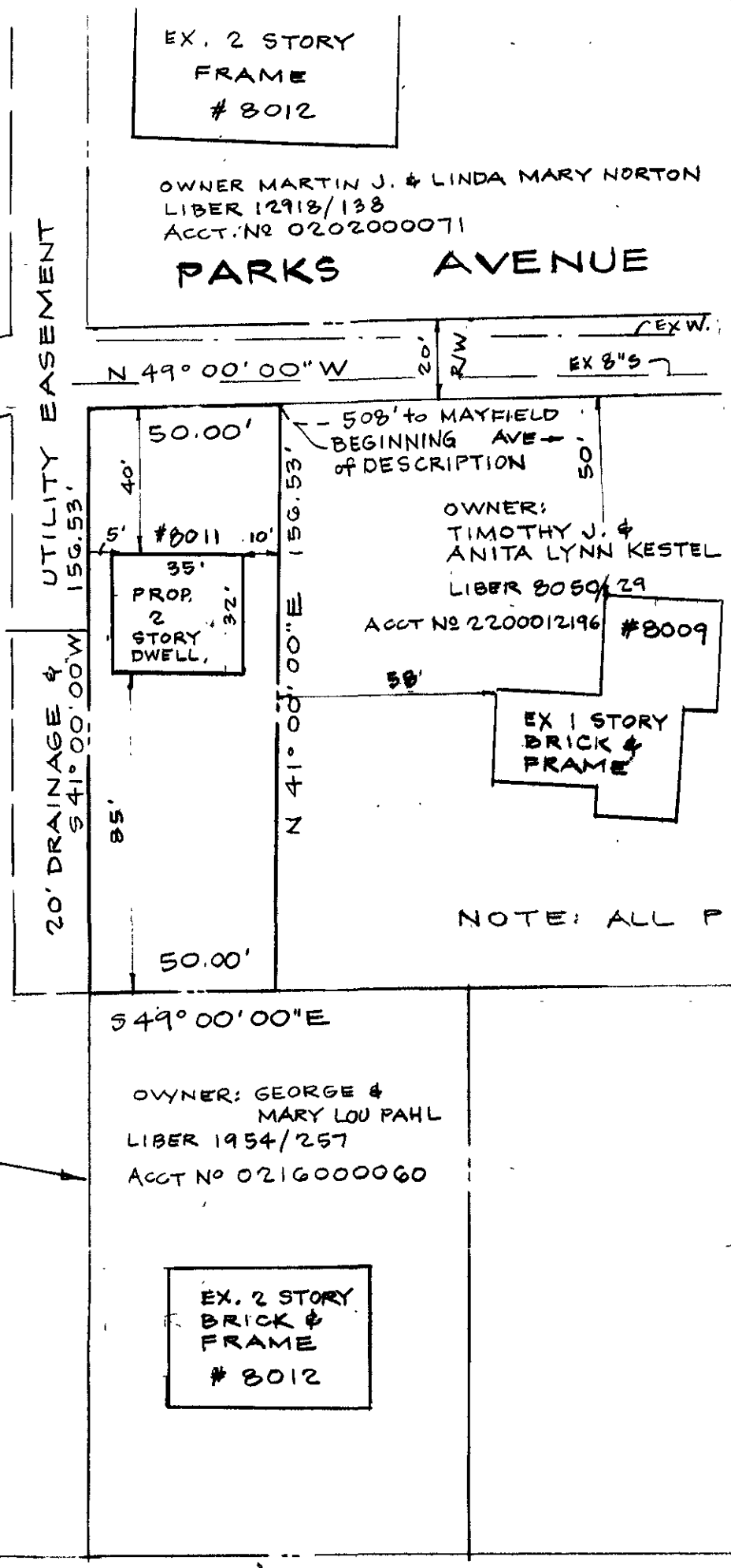
[illegible]

1ST. AMENDED PLAT OF MAYFIELD WOODS PB 65-86
SPACE OPEN LOCAL
OWNER: MAYFIELD WOODS LMT. PARTNERSHIP
ACCT NO 2200009840
20' D&U EASEMENT

OWNER: GEORGE & MARY PAHL
ACCT NO 2200009841
LIBER 9308/787
TRACT "A"

OWNER: GEORGE & MARY PAHL
ACCT NO 2200009841
LIBER 9308/787
TRACT "A"

OWNER: GEORGE & MARY PAHL
ACCT NO 2200009841
LIBER 9308/787
TRACT "A"



NOTE: ALL PROPERTY SHOWN ZONED DR 5.5

NOTES

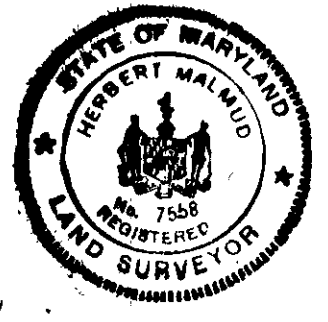
- 1 OWNER/PETITIONER:
GEORGE & MARY LOU PAHL
8012 REMINGTON AVENUE, BALTIMORE, MD 21244
TELEPHONE: 410 655-0411
DEED REFERENCE: LIBER 4188, FOLIO 35; ACCT NUMBER: 0216000061.
TAX MAP 77, GRID 22, PARCEL 1183.
- 2 EXISTING ZONING: D.R. 5.5 ZONING MAP NW 5 H
- 3 PUBLIC WATER AND SEWER SERVES THIS SITE.
EXISTING USE: VACANT LOT.
- 4 PROPOSED USE: SINGLE FAMILY HOME
- 5 ZONING HISTORY: NONE
- 6 AREA OF PROPERTY: 7827 S.F. OR 0.180 OF AN ACRE +/-

VARIANCE REQUESTS: 1) FROM BCZR SECTION 1B02.3.C.1 TO ALLOW A SIDEYARD SETBACK OF 5 FEET IN LIEU OF THE REQUIRED 10 FEET AND TO PERMIT A 50 FOOT WIDE LOT IN LIEU OF THE REQUIRED 55 FEET AND TO APPROVE AN UNDERSIZED LOT PURSUANT TO BCZR304 AND TO APPROVE ANY OTHER VARIANCES THAT THE ZONING COMMISSIONER DEEMS NECESSARY AT THE TIME OF THE HEARING. 2) TO ALLOW A SINGLE FAMILY DWELLING TO BE BUILT ON A LOT CONTAINING LESS THAN 20,000 SQUARE FEET WHICH DOES NOT ABUT ON A RIGHT OF WAY OF AT LEAST 30 FEET WIDE OVER WHICH THE PUBLIC HAS AN EASEMENT OF TRAVEL PURSUANT TO BCZR102.4 BECAUSE PARKS AVENUE IS A DEDICATED 20 FOOT WIDE RIGHT OF WAY.

PARKING SPACES REQUIRED: 2 PARKING SPACES PROVIDED: 2.

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

THE PROPERTY LINES SHOWN HEREON ARE FROM AVAILABLE DEEDS AND FIELD MEASUREMENTS AND NOT A BOUNDARY SURVEY. A TITLE SEARCH WAS NOT FURNISHED FOR THIS ZONING VARIANCE.



Ref Ex #1

PLAT TO ACCOMPANY A
PETITION FOR A ZONING
VARIANCE REQUEST
8011 Parks Avenue
2ND ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 2
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 40'

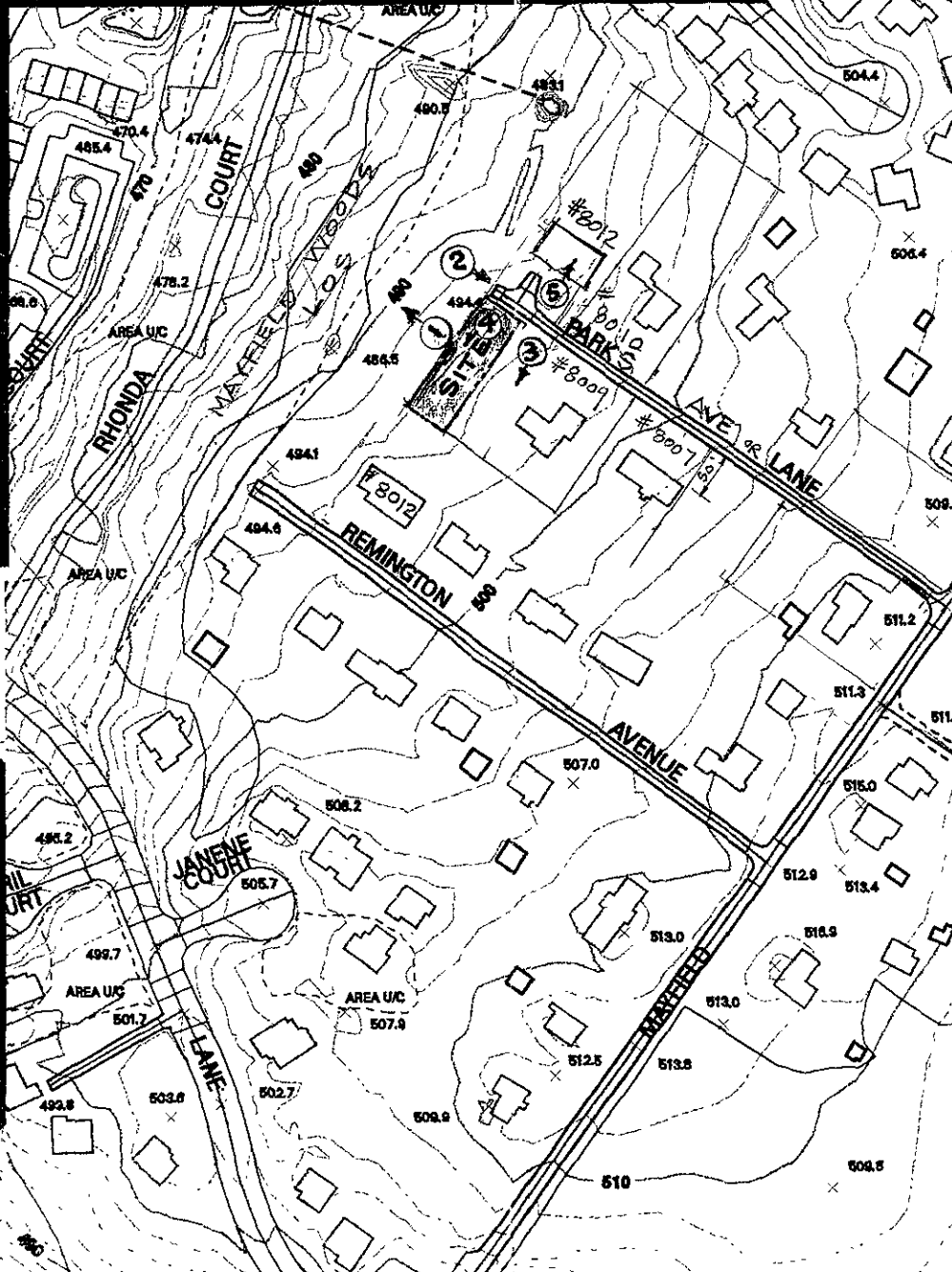
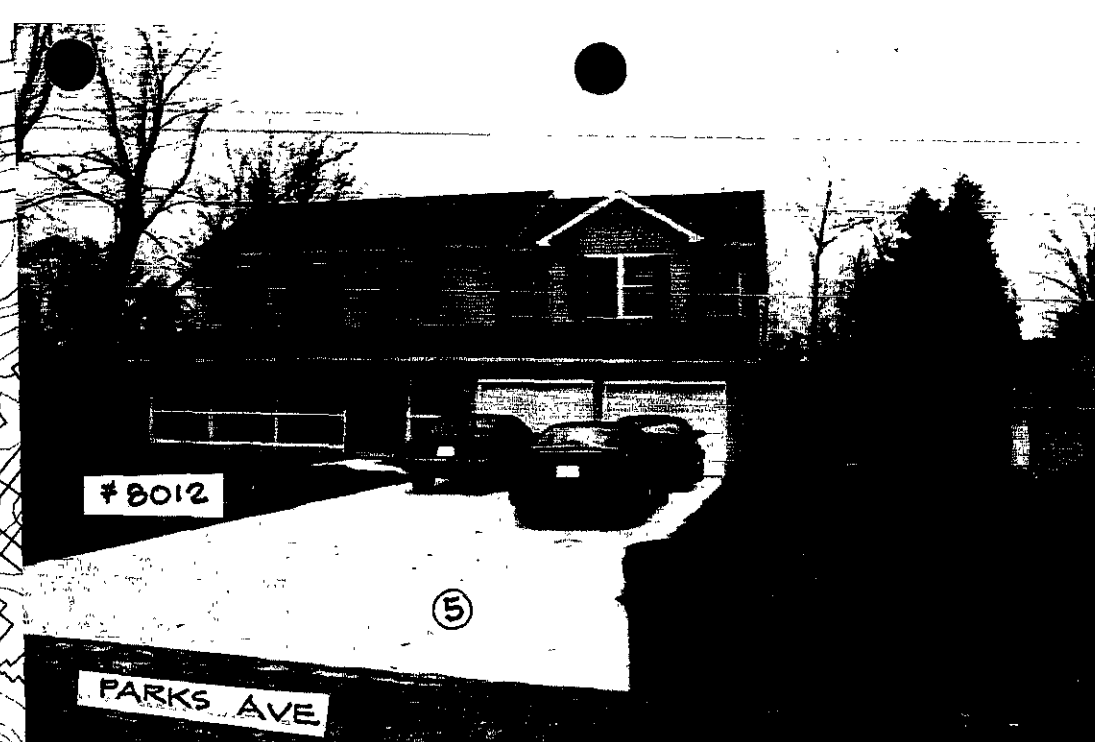
FEBRUARY 3, 2002

Prepared by:

#349

H. Malmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208

Telephone 410 653-9511



**SITE PHOTOS
TO ACCOMPANY VARIANCE AND UNDERSIZE
LOT REQUEST**

Plot #2
**8011 PARKS AVENUE
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Date of Photos: November 27, 2001**

Prepared by:
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410.653.0511

*4/11/02
Plot #2*

W 45,000

5.5

SITE PARKS

REMINTON

AVE

LA AVE

MAYFIELD

D.R. 5.5

D.R. 5.5

Ret Ex #3

NW 5H

D.R. 5.5



GIS TOPOGRAPHY MAP
8011 PARKS AVENUE
SCALE: 1"=200'

Pet Ex #4

Coordinate System:

Maryland State Plane: NAD83/91 Horiz. Datum

Elevations in Feet: NAVD88 Vertical Datum

Date of Data Capture: March 1995

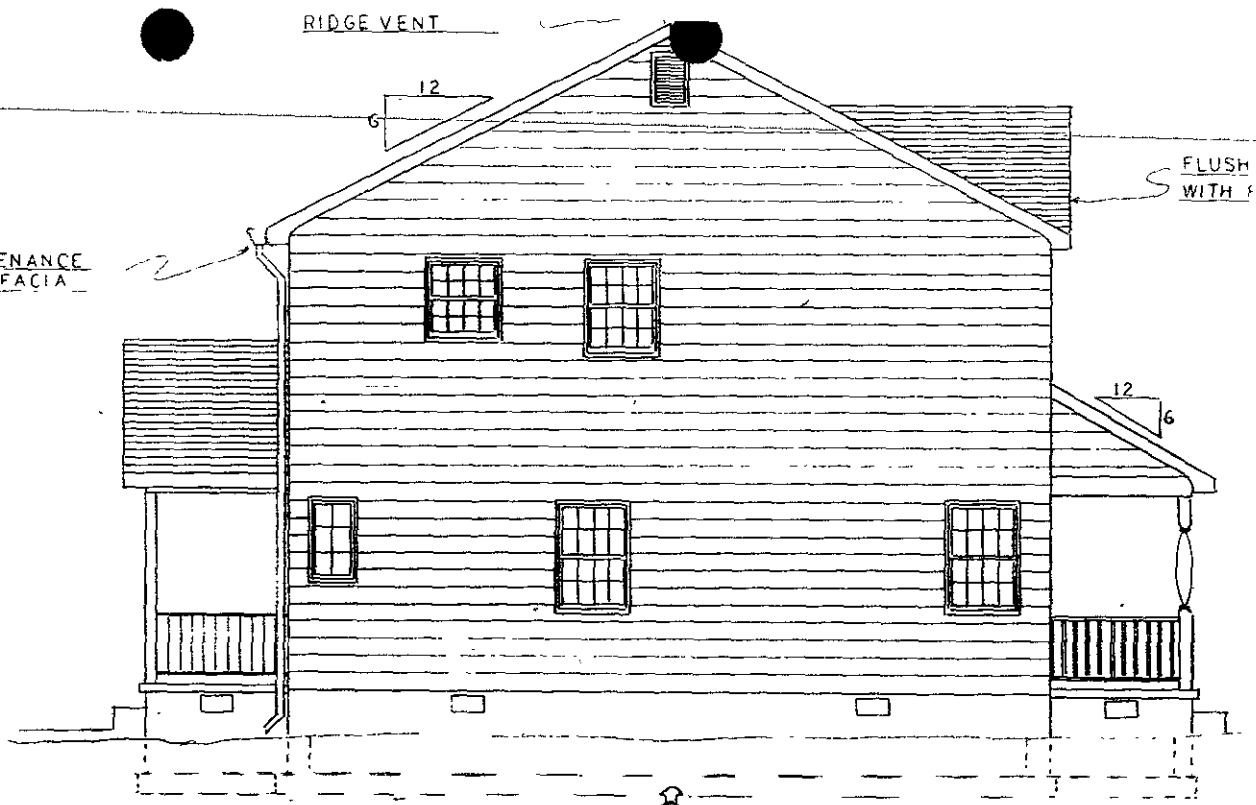
Tile ID: 077b3

4/11/02
Pet Ex #4

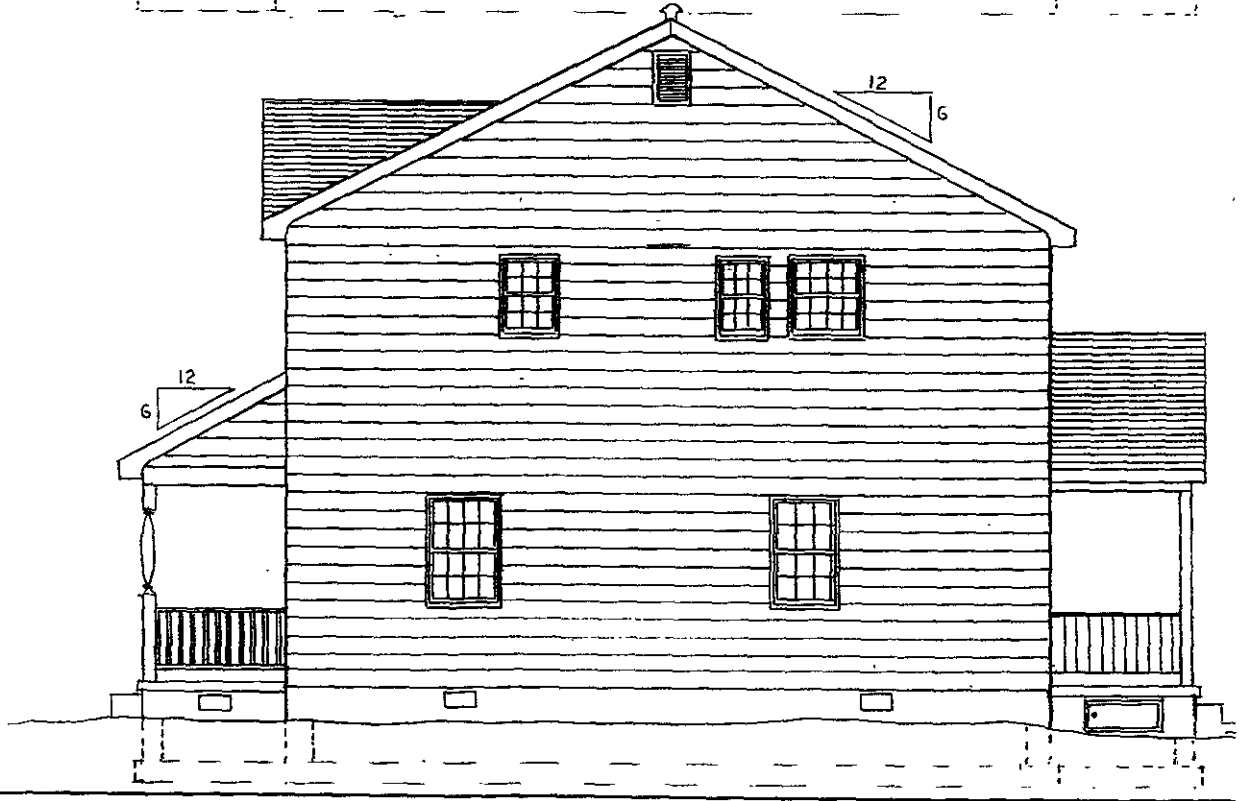
RIDGE VENT

PROVIDE LOW MAINTENANCE
SPOUTING GUTTERS, FACIA
& SOFFITS (VENTED)

LEFT



RIGHT



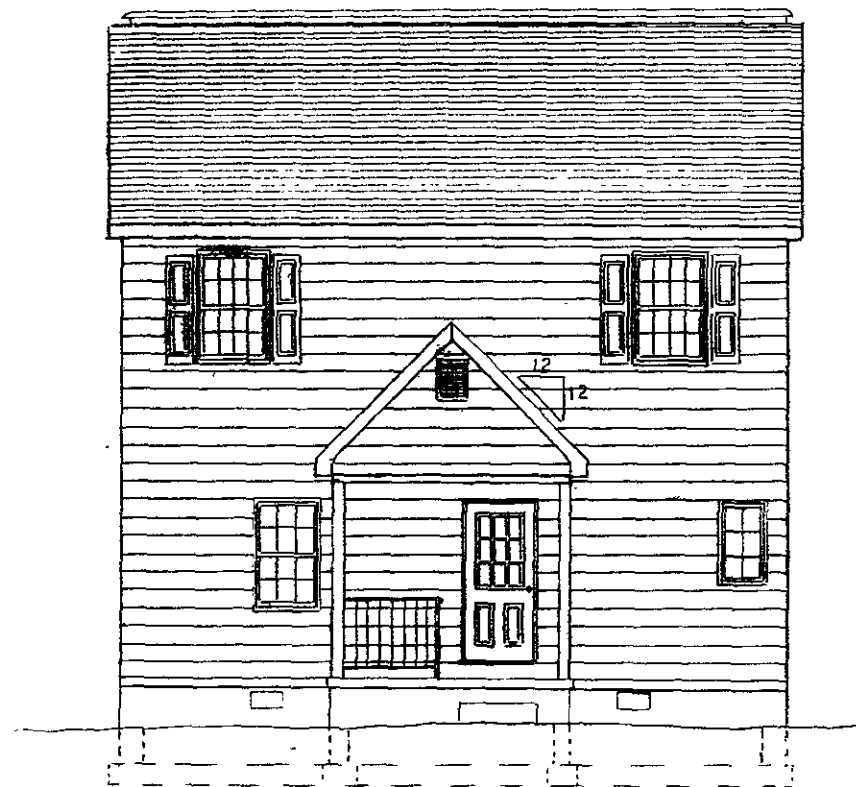
Petex 5A

BUILDING ELEVATION DRAWINGS

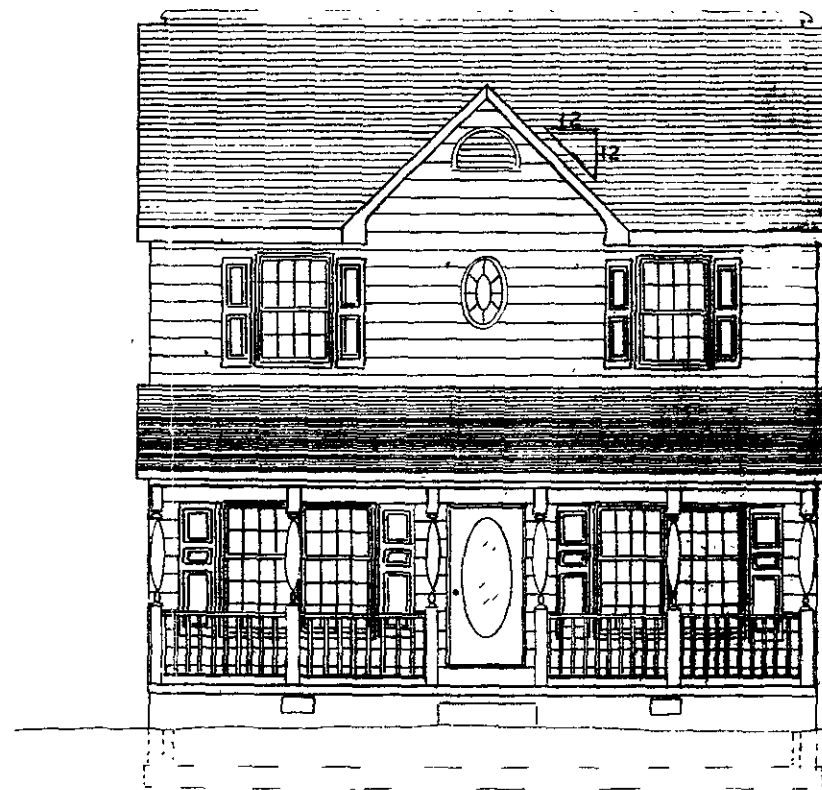
8011 PARKS AVENUE

Scale 1/8 inch = 1 foot

BACK



FRONT



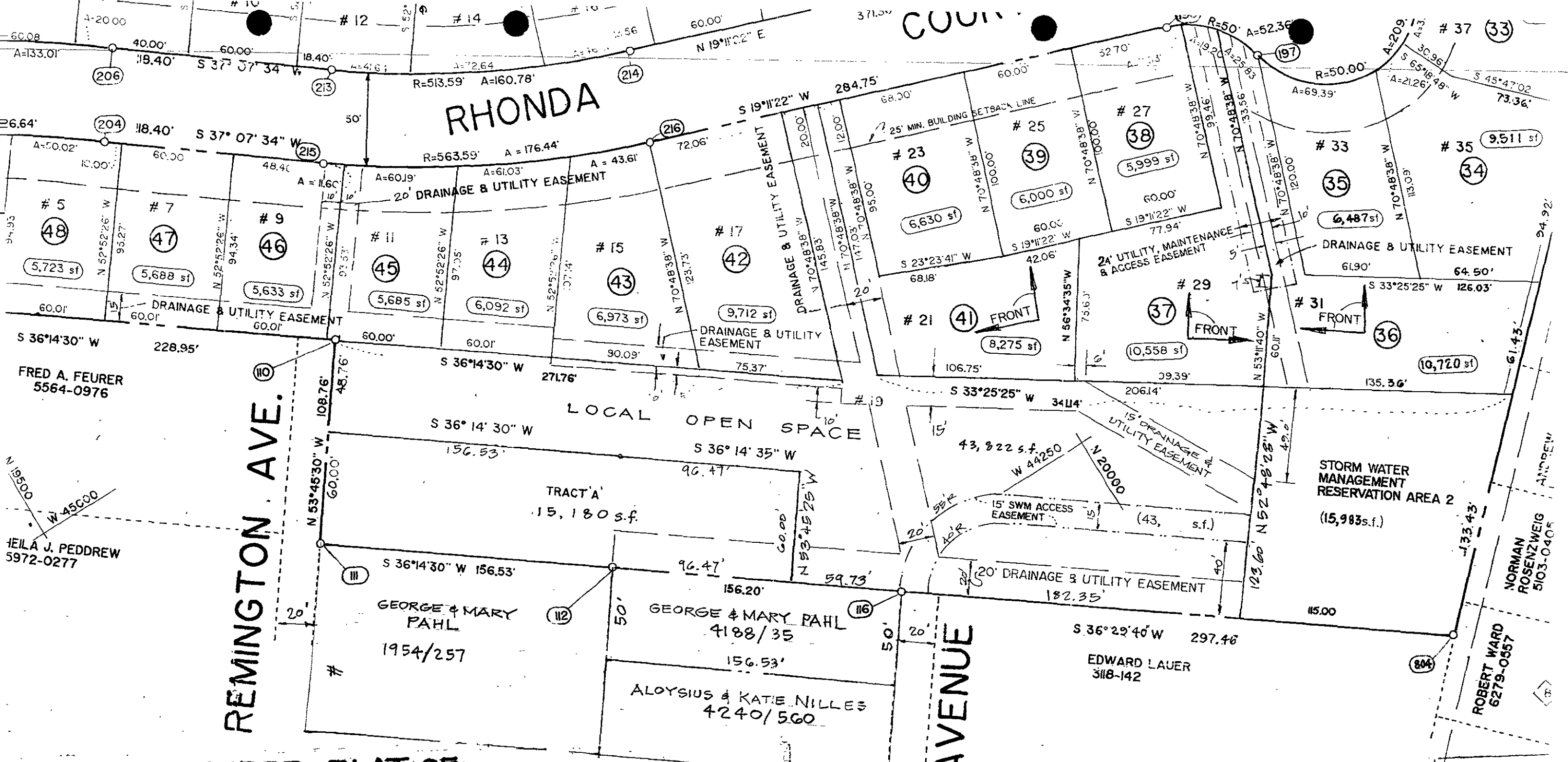
Pet Ex 5B

BUILDING ELEVATION DRAWINGS

8011 PARKS AVENUE

Scale 1/8 inch = 1 foot

4/11/02
Pet Ex 5



**1ST AMENDED PLAT OF
MAYFIELD WOODS**
PREVIOUSLY RECORDED IN PLAT BOOK S.M. 63-119
PLAT RECORDED 65-86

DISTRICT 2 C2
BALTIMORE CO. MD.
SCALE 1" = 50'

4/11/02
Patricia

DATE: FEB 1, 1991
DATE OF FIRST AMENDMENT:
DEC. 31, 1992
8425

ZONING DATA	
1. ZONING OF SITE - DR 5.5	1. HIGHWAY AND HIGH-ACCESS EASEMENTS SHOWN HEREON ARE DEDICATION TO BA REPRESENTATIVES.
2. GROSS ACREAGE - 17.64 ACRES	
3. NUMBER OF LOTS - 65	

Ret Ex #6

W 45,000

5.5

SITE

PARKS

REMINGTON

AVE

LA. AVE

D.R. 5.5

MAYFIELD

D.R. 5.5

ZONING MAP
8011 PARKS AVENUE
SCALE: 1"=200'

NW 5 H

D.R. 5.5

ND